

Wetlands Bureau Decision Report

Decisions Taken
08/01/2005 to 08/07/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-02841 MCCOY, PAUL & JOSEPHINE
RAYMOND Unnamed Wetland

Requested Action:

Dredge and fill a total of 41,500 square feet of wetlands to construct a subdivision road to develop a 24-lot subdivision on 79.45 acres.

DENY PERMIT:

Dredge and fill a total of 41,500 square feet of wetlands to construct a subdivision road to develop a 24-lot subdivision on 79.45 acres.

With Findings:

1. On 12/17/2004 the Department of Environmental Services ("DES") received an application to dredge and fill a total of 53,038 square feet of wetlands to construct a subdivision road to develop a 24-lot subdivision on 79.45 acres.
2. On 3/9/2005 DES sent the applicant a letter requesting more information, including a request for redesign of the project based on the following:
 - a. Administrative Rules Wt 302.01(b) and Wt 302.04 (a)(1) require that need be demonstrated for impacts to wetlands; Rule Wt 302.03 (a) requires that impacts to wetlands be avoided and minimized; and Rule Wt 302.04 (a)(2) requires that the alternative proposed by the applicant be the one with least impact to the wetlands or surface waters on the site.
 - b. Review of this application finds that the plan, which is essentially the same as the plan from approximately 16 years ago in its design and layout, does not meet these current day requirements.
3. In a letter dated 12/1/2004, received by DES on 12/6/2004, the Raymond Conservation Commission stated that they recommended to the developer that the number of buildable lots be reduced to more effectively protect the adjacent wetlands.
4. On 3/29/2005 DES met with the applicant and discussed the request for more information letter from DES dated 3/9/2005 with regard to meeting current day standards for avoidance and minimization, at which the applicant expressed the sentiment that DES was bound by a pre-application meeting regarding the project conducted in August of 2003 at which DES provided general comments which did not extend to revising the project layout.
5. On 4/18/2005 DES met with the Raymond Town Planner regarding this application, who indicated the following:
 - a. that the subdivision approval for the current subdivision layout for Audette Estates had been revoked by the town;
 - b. that this subdivision could be redesigned as a "conservation subdivision" at the town level, which would take the yield of lots of a typical subdivision and provide that number of units in a cluster design;
 - c. that this type of design would eliminate the Smith Pond Road proposed access, and approximately 70% of the wetlands impact.
6. On July 8, 2005 DES received a response from the applicant which stated that the application was for a total of 41,500 square feet of wetlands dredge and fill, with the same basic layout as originally applied for.
7. Pursuant to Rule Wt 302.04(d)(1),(2), and (3), respectively, DES shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the Department's jurisdiction; the project would cause or contribute to significant degradation of waters of the state; or the project will cause random or unnecessary destruction of wetlands.
8. It has been demonstrated that there is a practicable alternative design possible to develop this property to a similar unit level, while eliminating the majority of wetlands impacts.
9. By adhering to the historic layout for this subdivision rather than utilizing the new, less-impacting design alternative available, the applicant has failed to demonstrate need for the proposed project impacts, failed to demonstrate appropriate avoidance and minimization of wetland impacts, nor does the proposal represent the least impacting alternative. Thus DES finds that the proposal represents unnecessary and excessive impacts to wetlands and is therefore is not approvable.
10. DES further finds that general statements made a pre-application meetings which occur without benefit of all facts related to a project, do not represent an official or binding approval of a project by the agency.

2004-03085 DESBIENS, RICHARD
ACWORTH Crescent Lake

Requested Action:

Place 20 cy of sand on an existing sloped beach above the full lake elevation on Crescent Lake, Acworth.

Conservation Commission/Staff Comments:

No comments from Con Com by 03/08/05

No comments from the Local Rivers Committee by 3/08/05

APPROVE PERMIT:

Place 20 cy of sand on an existing sloped beach above the full lake elevation on Crescent Lake, Acworth.

With Conditions:

1. All work shall be in accordance with plans by One Source Properties and Permitting dated December 13, 2004, revision date May 23, 2005, as received by the Department on July 5, 2005.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. No more than 20 cu yd of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f), replenishment of a beach with no more than 20 cubic yards of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

2005-00322 GERRIOR LANE TRUST, PETER DAIGLE TTEE
BARRINGTON Unnamed Wetland

Requested Action:

Dredge and fill a total 27,320 square feet of wetlands over seven locations for grading and culvert installation for construction of a subdivision road on the Barrington side of the Gerrior Lane Trust subdivision, a 37-lot subdivision that spans both Barrington and Nottingham on a total of 116 acres, with 84 acres and 25 lots located in the Barrington side.

Approve as mitigation preservation of upland buffer by a conservation easement on a total of 35.58 acres of the 84-acre Barrington side, including 18.54 acres of upland and 17.04 acres of wetland.

Conservation Commission/Staff Comments:

Conservation Commission is willing to hold easement; had concerns which the applicant has addressed.

Inspection Date: 05/27/2005 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total 27,320 square feet of wetlands over seven locations for grading and culvert installation for construction of a subdivision road on the Barrington side of the Gerrior Lane Trust subdivision, a 37-lot subdivision that spans both Barrington and Nottingham on a total of 116 acres, with 84 acres and 25 lots located in the Barrington side.

Approve as mitigation preservation of upland buffer by a conservation easement on a total of 35.58 acres of the 84-acre Barrington side, including 18.54 acres of upland and 17.04 acres of wetland.

With Conditions:

1. All work shall be in accordance with plans entitled "Existing Conditions Plan - The Homestead, Gerrior Lane Trust..." Sheets 7, 8, and 9 of 9 by Doucet Survey Inc. dated March 8, 2004, as received by the Department on February 16, 2005; per plans entitled "Homestead Lane - Nottingham and Barrington NH - Wetland Impact Plan" sheets 1 & 2 by Appledore Engineering dated September 15, 2004 as received by DES on May 2, 2005; per plans entitled "Proposed Easement Plan - The Homestead" sheets 1,2,3 by Doucet Survey Inc. dated June 15, 2004 as received by DES on May 2, 2005; per revised plans entitled "Homestead Lane - Nottingham and Barrington NH" sheets C1,C2,C3,C6,C7,C10,C11 by Appledore Engineering dated December 6, 2004 as received by DES on May 2, 2005; per revised plans entitled "Homestead Lane - Nottingham and Barrington NH" sheets C4,C5,C8, & C9 by Appledore Engineering dated June 30, 2005 as received by DES on July 8, 2005..
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Work shall be done during low flow.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Wetland preservation:

1. This permit is contingent upon the execution of a conservation easement on 35.58 acres to be held by the Town of Barrington, with the Barrington Conservation Commission as steward, as depicted on plans by Appledore Engineering Inc. entitled "Homestead Lane - Wetland Impact and Conservation Plan" dated 5/23/2005, received 5/25/2005; and per plans by Doucet Survey Inc. entitled "Proposed Easement Plan - The Homestead, Gerrior Lane Trust", sheets 1-3, dated 6/15/2004 as received on 5/25/2005.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major project based on Rule Wt 303.02(c), projects that involve alteration of non-tidal wetlands, surface waters in excess of 20,000 square feet in the aggregate, and per RSA 482-A:11, V, which states that a series of related minor projects

undertaken by a single developer when considered in the aggregate, amount to a major project. In this case, the Nottingham side of the project, at 5,610 square feet of impact, when taken with the Barrington side at 27,318 square feet of impact, represents a major project.

2. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. Development of the Gerrior Lane Trust property ("the Property") began in the 1970's under different ownership, and began with the sale of 12 original lots, 7 of which were built upon many years ago.
5. The applicant has submitted a projected income and expense analysis that demonstrates that the elimination of the northern 5 lots by and cul-de-sac with its associated 11,000 square foot wetlands crossing, would result in a greater than 100% loss of profit on this project, which renders this project not practicable without this crossing.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. This project was designed to preserve the most unique habitat areas on the site, which is supported by the applicant's Wildlife Habitat Assessment submitted with the application.
8. DES Staff conducted a field inspection of the proposed project on 5/27/2005. Field inspection determined that the impacts represent unavoidable impacts to access developable uplands and provide reasonable town road inter-connection.
9. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
10. This project is not adjacent to Barrington Designated Prime Wetlands.
11. NH Natural Heritage Inventory records of sightings of Blandings and spotted turtles indicate the locations to be related to the Hoar's Pond vicinity, which is removed from this project location.
12. The applicant has revised the design of Lot 32 in response to concerns of both Conservation Commissions.
13. The applicant has also revised the lot lines of Lots 17 and 18, and Lots 18 and 19 to improve vernal pool buffer distance.
14. The mitigation provided, a total of 35.58 acres of the overall 84-acre site, includes 18.54 acres of upland and 17.04 acres of wetland, and exceeds the ratios required by Rule Wt 803.05 Compensatory Mitigation Ratios, for preservation of upland buffer.
15. The applicant has provided thorough baseline documentation of the conservation easement area, including a Functional Assessment and a Wildlife Habitat Assessment.
16. The Town of Barrington, where the majority of the wetlands impact is to occur, has stated in a letter dated June 9, 2005, received by DES on June 16, 2005, that they are willing to hold the conservation easement.

2005-00788 PAIRPOINT GROUP LLC, ELLIOTT BERKOWITZ
EXETER Squamscott River

Requested Action:

Construct a seasonal docking structure consisting of a 4 ft. X 30 ft. ramp leading to an 8 ft. X 25 ft. dock/float. Reset existing granite block retaining wall above mean high tide as necessary to maintain stability and pour a 6 ft. X 6 ft. concrete pad behind the wall on which to anchor hinge plate for ramp on 46 +/- feet of shoreline frontage on the Squamscott River.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission expressed concerns about this application which were addressed at field inspection w/ Cons. Comm., applicant, contractor and DES staff.

Inspection Date: 05/16/2005 by Frank D Richardson

APPROVE PERMIT:

Construct a seasonal docking structure consisting of a 4 ft. X 30 ft. ramp leading to an 8 ft. X 25 ft. dock/float. Reset existing granite block retaining wall above mean high tide as necessary to maintain stability and pour a 6 ft. X 6 ft. concrete pad behind the wall on which to anchor hinge plate for ramp on 46 +/- feet of shoreline frontage on the Squamscott River.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated 3/22/05, as received by the Department on

April 25, 2005.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
5. The seasonal ramp and dock/float shall be removed for the non-boating season.
6. This shall be the only docking structure on this water frontage.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 16, 2005. Field inspection determined this project proposal is reasonable for this location.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.
7. The Pease Development Authority Division of Ports and Harbors has examined the site and the Chief Harbor Master reports "... that the project would have no effect on navigation in the channel."
8. The NH Fish and Game Department have no issues with the floating dock and ask that construction activities be avoided during the river herring run which terminates in mid-June.

-Send to Governor and Executive Council-

2005-01022 MANN, ROBERT
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct a 6 ft by 30 ft piling supported dock accessed by 4 ft wide stairs adjacent to a 44 ft breakwater with a 4 ft x 50 ft cantilevered pier on 152 ft of frontage on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

No Com Com comments by 8/1/05

APPROVE PERMIT:

Construct a 6 ft by 30 ft piling supported dock accessed by 4 ft wide stairs adjacent to a 44 ft breakwater with a 4 ft x 50 ft cantilevered pier on 152 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated May 10, 2005, as received by the Department on May 17, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

5. The minimum clear spacing between piles shall be 12 feet.
6. This permit does not allow for maintenance dredging.
7. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
8. No portion of the dock shall extend more than 30 ft lakeward from full lake elevation of 504.32 ft.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), modification of a docking facility which includes a breakwater.
2. The applicant has an average of 152 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
4. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, and therefore meets Rule Wt 402.14.
5. The addition of the proposed pier will not significantly increase the impacts of the docking facility on Lake Winnepesaukee.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2004-00604 NERR LLC
HOOKSETT Unnamed Stream

Requested Action:

Amend permit to dredge and fill 1,200 sq. ft. of seasonal stream for construction of a headwall, to include an additional 8,000 sq. ft. of wetlands impact to construct 2 roadway crossings, including 6,000 sq. ft. of impact associated with installation of a 87' x 36" culvert, and 2,000 sq. ft. of impact associated with installation of a 72' x 24" culvert for roadway widening to provide access to Phase II development of an existing commercial lot. Total impact is now 9,200 sq. ft.

Conservation Commission/Staff Comments:

Hooksett Conservation Commission signed the Expedited application; amendment request was submitted to Con. Com. - Con. Com. did not report further.

APPROVE AMENDMENT:

Amend permit to dredge and fill 1,200 sq. ft. of seasonal stream for construction of a headwall, to include an additional 8,000 sq. ft. of wetlands impact to construct 2 roadway crossings, including 6,000 sq. ft. of impact associated with installation of a 87' x 36" culvert, and 2,000 sq. ft. of impact associated with installation of a 72' x 24" culvert for roadway widening to provide access to Phase II development of an existing commercial lot. Total impact is now 9,200 sq. ft.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated March 2004, as received by the Department on April 9, 2004, and per revised plan by Keach-Nordstrom Associates Inc., entitled "Amended Grading Plan-NERR, LLC" dated 12/2004, as received by the Department on 7/29/2005.
2. This permit is contingent on the approval and conditions of the New Hampshire Division of Historical Resources.
3. AMENDED: Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau, and compensatory mitigation if the cumulative wetlands impact square footage for this property exceeds 10,000 square feet.
4. Work shall be done during low flow conditions.

5. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 square feet of alteration in the aggregate of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Per the DHR, The applicant has contacted a qualified professional archaeologist to assess the archaeological sensitivity of proposed project areas.
6. The listed species of concern reported by the NH Natural Heritage Inventory are located on the opposite side of the Merrimack River from this property.

2004-01489 KNAPTON, DONALD
ANTRIM Unnamed Wetland

Requested Action:

Dredge and fill 3,612 square feet of palustrine forested wetlands to construct a subdivision road for a proposed 8-Lot subdivision know as Pierce Lake Estates II.

Conservation Commission/Staff Comments:

July 13, 2004, Conservation Commission requested a 40-day hold, following review of concerns submitted by a local citizen.

No additional comments submitted from the Conservation Commission.

On November 17, 2004, the Antrim Conservation Commission presented suggested measures to stabilize and restore impacts associated with a logging operation on the subject property.

Inspection Date: 10/12/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 3,612 square feet of palustrine forested wetlands to construct a subdivision road for a proposed 8-Lot subdivision know as Pierce Lake Estates II.

With Conditions:

1. All work shall be in accordance with subdivision plans by Donald R. Mellen Surveyor, LLC dated June 28, 2005, as received by the Department on July 7, 2005 and roadway profile plans by Souhegan Valley Engineering, Inc. dated June 29, 2005, as received by the Department on July 7, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All activity on proposed lots 65, 65-6, 65-7 and 65-8 shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain conditions #4 and 5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low flow.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on October 12, 2004. Field inspection determined the property had recently been logged.
6. The Department issued a letter on October 13, 2004, requesting clarification for when the logging operation took place and proposed restoration.
7. The Applicant provided a response on October 18, 2004, related to the logging operation and associated impacts to the wetlands.
8. On December 22, 2004, the applicant informed DES the project was under revisions that may have no wetland impacts, and they would proceed to address the restoration requested by DES. They asked for a 45-day extension to complete the proposed revisions.
9. Revised plans were received by the Department on July 7, 2005, to address the two wetland impact areas associated with the logging operation.
10. The revised project submitted to the Department requested to retain the previous crossings.
11. The Department has determined the proposed crossings are in the location of the wetlands impacted during the logging operation in July of 2004.
12. The applicant has revised the roadway layout to lessen the roadway grades, pave the road surface and construct appropriate stormwater control structures.
13. The Department has determined the project will have minimal impacts on the environment.

2004-01933 PORTLAND PIPE LINE CORP., RICK LOIVEL
RANDOLPH Cold River

Requested Action:

Confirm Emergency Authorization to temporarily impact 2400 square feet within the bed and banks of the Cold River to repair an existing pipeline.

APPROVE PERMIT:

Temporarily impact 2400 square feet within the bed and banks of the Cold River to repair an existing pipeline.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(c); Projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Wt 303.02, except those projects in streams which meet the criteria of Wt 303.04(g).
2. The project was necessary to repair an existing crude oil pipeline in order to prevent leakage into the Cold River.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on June 2, 2005.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2004-02306 FAITH CHRISTIAN CENTER INC
BEDFORD Unnamed Wetland

Requested Action:

Amend permit to revise conservation easement areas approved for mitigation from a conservation easement on 9.6 acres, composed of 4.9 acres of upland and 4.7 acres of wetland, to consist of Conservation Area 1, with a total of 7.84 acres (4.99 acres of upland and 2.85 acres of wetland), and Conservation Area 2, with a total of 3.2 acres (0.96 acres of upland and 2.24 acres of wetland), representing an overall total of 11.04 acres (5.95 acres of upland and 5.09 acres of wetland) of on-site preservation, in response to Bedford Conservation Commission (easement holder) comments.

Conservation Commission/Staff Comments:

Con. Com. recommended approval. Conditions and restrictions as requested by the Con. Com. are included in the approval to the extent of the Bureau's jurisdiction.

Inspection Date: 11/02/2004 by Dori A Wiggin

Inspection Date: 11/30/2004 by Dori A Wiggin

APPROVE AMENDMENT:

Dredge and fill a total of 19,826 sq. ft. of wetlands, including: 9,565 sq. ft. (160 linear ft.) for construction of a conspan bridge over the Tioga

Brook, and another 1,238 sq. ft. at three locations for roadway edge fill, totaling 10,261 sq. ft. for access impacts associated with roadway construction; and a total of 9,023 sq. ft. over three isolated wetland locations for fill for lot development, for construction of a church facility.

Amended: Approve as mitigation a conservation easement consist of Conservation Area 1, with a total of 7.84 acres (4.99 acres of upland and 2.85 acres of wetland), and Conservation Area 2, with a total of 3.2 acres (0.96 acres of upland and 2.24 acres of

wetland), representing an overall total of 11.04 acres (5.95 acres of upland and 5.09 acres of wetland) of on-site conservation easement preservation, to be held by the Town of Bedford Conservation Commission.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated 5/14/2004, revised 10/04/2004, as received by the Department on 11/15/2004.
2. This permit shall supercede permit number 2002-1372 issued to Surfsong Properties for the road way crossing of the Tioga Brook.
3. This permit is contingent on approval by the DES Site Specific Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Wetland preservation:

1. Amended: This permit is contingent upon the execution of a conservation easement consisting of Conservation Area 1, with a total of 7.84 acres (4.99 acres of upland and 2.85 acres of wetland), and Conservation Area 2, with a total of 3.2 acres (0.96 acres of upland and 2.24 acres of wetland), representing an overall total of 11.04 acres (5.95 acres of upland and 5.09 acres of wetland) of on-site conservation easement preservation, to be held by the Town of Bedford Conservation Commission, as depicted on plans by TF Moran, Inc., entitled "Overall Master Site Plan", as revised 4/8/2005, as received by the Department on 5/9/2005, and per acreage summary provided by TF Moran dated 8/4/2005, as received by the Department on 8/4/2005, to be conveyed to the Town of Bedford.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The revised mitigation represents corrected acreage totals and corrected locations of the conservation easement areas, and meets

the requirements of the easement holder.

2. The revised amount of the acreage to be preserved by this conservation easement represents more than double the area required for the permitted impacts, pursuant to Administrative Rule Wt 803.05, Compensatory Mitigation Ratios.

**2004-02354 PORTLAND PIPELINE CORP.
JEFFERSON Israel River**

Requested Action:

Confirm Emergency Authorization to temporarily impact 5275 square feet within the bed and banks of the Israel River to repair an existing pipeline and temporarily impact 375 square feet of drainage ditch for construction access.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Temporarily impact 5275 square feet within the bed and banks of the Israel River to repair an existing pipeline and temporarily impact 375 square feet of drainage ditch for construction access.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(c); Projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Wt 303.02, except those projects in streams which meet the criteria of Wt 303.04(g).
2. The project was necessary to repair an existing crude oil pipeline in order to prevent leakage into the Israel River.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on September 22, 2004.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2005-00078 JOHNSON JR, RAYMOND & FAYE
BOW Unnamed Wetland**

Requested Action:

Dredge and fill 7,960 square feet of wetlands including 3,382 square feet of impact associated with installation of a 24" x 76' culvert; and 4,578 square feet of impact associated with installation of a 36" x 76' culvert, for roadway construction for a 9-lot subdivision on 35.78 acres.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

APPROVE PERMIT:

Dredge and fill 7,960 square feet of wetlands including 3,382 square feet of impact associated with installation of a 24" x 76' culvert; and 4,578 square feet of impact associated with installation of a 36" x 76' culvert, for roadway construction for a 9-lot subdivision on 35.78 acres.

With Conditions:

1. All work shall be in accordance with revised plans by Woodland Design Group dated 6/24/2005, as received by the Department on 7/5/2005.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. This permit is contingent on the approval and conditions of the NPDES permit.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Work shall be done during low flow.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), projects that alter less than 200 linear feet of an intermittent stream that does not meet the criteria for minimum impact under Wt 303.04(n); and per Rule Wt 303.03 (h) projects that involve less than 20,000 square feet of alteration in the aggregate in non-tidal wetlands which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00156 ARNO REALTY LLC
EPPING Unnamed Wetland

Requested Action:

Amend permit to revise condition language giving DES executory interest to enforce the conservation "easement" deed to DES, to say conservation "deed restriction", and acknowledge revised culvert design.

Conservation Commission/Staff Comments:

Intervened;

APPROVE AMENDMENT:

Dredge and fill a total of 16,159 square feet of wetlands to construct a roadway crossing impacting 15,424 square feet of wetlands including installation two 3' x 6' precast box culverts installed with natural bottoms, and two 24" x 24' culverts; and impacting 735 square feet of wetland to install two 36" x 20' culverts to upgrade an existing woods road as a driveway; for an 11-lot cluster subdivision on 56.4 acres.

Approve as mitigation transfer of 22.02 acres of Hoar's Pond-associated upland and wetlands to the Town of Epping for conservation and well-head protection.

With Conditions:

1. REVISED: All work shall be in accordance with plans by Jones and Beach Engineering Inc. dated 11/4/2004, as received by the Department on 1/20/2005, and per Jones and Beach Engineering Inc. revised plan sheet entitled C1 dated 4/15/2005 as received by

DES on 5/4/2005, and per revised culvert detail on sheet by Severino Trucking dated 6/21/2005 as received by the Department on 7/27/2005.

2. REVISED: This permit is contingent upon submission of and approval by DES of draft deed language for the mitigation parcel modified to include the following clause: "The then Commissioner of the New Hampshire Department of Environmental Services ("NHDES") shall have standing to seek mandamus or such other relief against Grantee and/or Grantor as may be necessary in the event Grantee and/or Grantor has not, in the Commissioner's opinion, taken steps necessary under this section to adequately preserve and protect the conservation purposes of this Deed Restriction".
3. This permit is contingent on approval by the DES Dam Safety Program.
4. This permit is contingent on approval by the DES Site Specific Program.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
9. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
10. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culvert outlets shall be properly rip rapped.
17. Work shall be done during low flow.

With Findings:

1. The amendment requests are consistent with the original approval findings.

2005-00213 WHEATON, PERRY
NEW LONDON Lake Sunapee

Requested Action:

Permanently remove an existing 44 ft long "T" shaped docking facility and construct three 6 ft by 25 ft piling supported docks connected by a 6 ft by 42 ft walkway in a "W" configuration, accessed by a 6 ft by 8 ft walkway, install three, 3 piling ice clusters, dredge 8 sqft of rock from the lakebed on an average of 358 ft of frontage an Lake Sunapee, New London.

Conservation Commission/Staff Comments:

Con Com submitted comments the plan does not meet town regulations

APPROVE PERMIT:

Permanently remove an existing 44 ft long "T" shaped docking facility and construct three 6 ft by 25 ft piling supported docks connected by a 6 ft by 42 ft walkway in a "W" configuration, accessed by a 6 ft by 8 ft walkway, install three, 3 piling ice clusters, dredge 8 sqft of rock from the lakebed on an average of 358 ft of frontage an Lake Sunapee, New London.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 17, 2005, revision date June 16, 2005, as received by the Department on July 5, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Piles shall have a minimum clear spacing of 12 ft between piles.
6. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
7. No portion of the pier shall extend more than 38 feet from the shoreline at full lake elevation.
8. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 4 slip docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed project meets all State requirements and thus the Conservation Commission's concerns must be addressed at the local level.

2005-00321 GERRIOR LANE TRUST, PETER DAIGLE TTEE
NOTTINGHAM Unnamed Wetland

Requested Action:

Dredge and fill a total 5,610 square feet of wetlands over six locations for grading associated widening and upgrade of an existing subdivision road on the Nottingham side of the Gerrior Lane Trust subdivision, a 37-lot subdivision that spans both Barrington and Nottingham on a total of 116 acres, with 31 acres and 12 lots located in the Nottingham side.

Conservation Commission/Staff Comments:

Conservation Commission noted that on lot 32 the vernal pool closer to the road was not part of the easement area and wished to have the hemlocks overhanging the vernal pool saved. The Conservation Commission does not feel that maximizing house lots is good for the watershed.

Inspection Date: 05/27/2005 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total 5,610 square feet of wetlands over six locations for grading associated widening and upgrade of an existing subdivision road on the Nottingham side of the Gerrior Lane Trust subdivision, a 37-lot subdivision that spans both Barrington and Nottingham on a total of 116 acres, with 31 acres and 12 lots located in the Nottingham side.

With Conditions:

1. All work shall be in accordance with plans entitled "Existing Conditions Plan - The Homestead, Gerrior Lane Trust..." Sheets 7, 8, and 9 of 9 by Doucet Survey Inc. dated March 8, 2004, as received by the Department on February 16, 2005; per plans entitled "Homestead Lane - Nottingham and Barrington NH - Wetland Impact Plan" sheets 1 & 2 by Appledore Engineering dated September 15, 2004 as received by DES on May 2, 2005; per plans entitled "Proposed Easement Plan - The Homestead" sheets 1,2,3 by Doucet Survey Inc. dated June 15, 2004 as received by DES on May 2, 2005; per revised plans entitled "Homestead Lane - Nottingham and Barrington NH" sheets C1,C2,C3,C6,C7,C10,C11 by Appledore Engineering dated December 6, 2004 as received

by DES on May 2, 2005; per revised plans entitled "Homestead Lane - Nottingham and Barrington NH" sheets C4,C5,C8, & C9 by Appledore Engineering dated June 30, 2005 as received by DES on July 8, 2005..

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Work shall be done during low flow.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a major project based on Rule Wt 303.02(c), projects that involve alteration of non-tidal wetlands, surface waters in excess of 20,000 square feet in the aggregate, and per RSA 482-A:11, V, which states that a series of related minor projects undertaken by a single developer when considered in the aggregate, amount to a major project. In this case, the Nottingham side of the project, at 5,610 square feet of impact, when taken with the Barrington side at 27,318 square feet of impact, represents a major project.
2. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. Development of the Gerrior Lane Trust property ("the Property") began in the 1970's under different ownership, and began with the sale of 12 original lots, 7 of which were built upon many years ago.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. This project was designed to preserve the most unique habitat areas on the site, which is supported by the applicant's Wildlife Habitat Assessment submitted with the application.
7. DES Staff conducted a field inspection of the proposed project on 5/27/2005. Field inspection determined that the impacts represent unavoidable impacts to access developable uplands and provide reasonable town road inter-connection.
8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
9. This project is not adjacent to Barrington Designated Prime Wetlands.
10. NH Natural Heritage Inventory records of sightings of Blandings and spotted turtles indicate the locations to be related to the Hoar's Pond vicinity, which is removed from this project location.
11. The applicant has revised the design of Lot 32 in response to concerns of both Conservation Commissions.
12. The applicant has also revised the lot lines of Lots 17 and 18, and Lots 18 and 19 to improve vernal pool buffer distance.
13. The mitigation provided, a total of 35.58 acres of the overall 84-acre site, includes 18.54 acres of upland and 17.04 acres of wetland located on the Barrington side of the project where the majority of impact is to occur, and exceeds the ratios required by Rule Wt 803.05 Compensatory Mitigation Ratios, for preservation of upland buffer.
14. The applicant has provided thorough baseline documentation of the conservation easement area, including a Functional Assessment and a Wildlife Habitat Assessment.
15. The Town of Barrington has stated in a letter dated June 9, 2005, received by DES on June 16, 2005, that they are willing to hold the conservation easement which has been submitted for mitigation for the overall project.

Requested Action:

Retain 2,990 square feet of wetland fill and impact an additional 6,675 square feet of forested wetland and a perennial stream (impacting 150 linear feet) to construct and upgrade roads for an off-road safety and rally driving school. Restore 1,200 square feet (180 linear feet) within the bed and banks of Cushman Brook by removing a 60' x 60" culvert and associated fill and replacing with a 20' bridge span with abutments that are located beyond the top of both banks and therefore outside of DES jurisdiction.

Inspection Date: 05/30/2001 by Craig D Rennie

APPROVE PERMIT:

Retain 2,990 square feet of wetland fill and impact an additional 6,675 square feet of forested wetland and a perennial stream (impacting 150 linear feet) to construct and upgrade roads for an off-road safety and rally driving school. Restore 1,200 square feet (180 linear feet) within the bed and banks of Cushman Brook by removing a 60' x 60" culvert and associated fill and replacing with a 20' bridge span with abutments that are located beyond the top of both banks and therefore outside of DES jurisdiction.

With Conditions:

1. All work shall be in accordance with revised plans by Watershed to Wildlife, Inc., as received by the Department on 5/9/05 and 7/7/05.
2. This permit is contingent on approval by the DES Site Specific Program.
3. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. All work shall be done during low flow conditions.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

RESTORATION CONDITIONS:

17. This permit is contingent upon the restoration of 1,200 square feet (180 linear feet) of Cushman Brook in accordance with restoration plans received by DES on 7/7/05.
18. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
19. The restoration area shall be properly constructed, monitored, and managed in accordance with the approved restoration plans.
20. Stream restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary

to restore a stable and functioning stream similar to those natural areas found up and downstream of the crossing location. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, and changing the hydrologic regime.

21. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the stream restoration area is constructed in accordance with the restoration plan. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

With Findings:

1. This project is classified as a Minor Impact Project per NH Administrative Rule Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
2. Approximately 2,990 square feet of unauthorized wetland fill was done by the Dalton Ridge Runners snowmobile club for a trail expansion project through this lot.
3. The applicant is requesting to retain fill at these 2 locations where the trails will be shared by the applicant and the snowmobile club.
4. The snowmobile club will be filing a separate after-the-fact wetland application for all other unauthorized impacts caused by their trail construction activities.
5. The additional 6,675 square feet of impact is needed by the applicant to upgrade the existing safety and rally driving school.
6. The existing crossing within Cushman Brook will be completely restored by removing a 60' x 60" culvert and associated fill and replacing with a 20' bridge span with abutments that are located beyond the top of both banks and therefore outside of DES jurisdiction.

2005-00476 BARRY, JAMES & MARY
CANAAN Goose Pond

Requested Action:

Permanently remove an existing 3 ft by 13 ft seasonal dock, construct a 6 ft by 30 ft seasonal dock in the same location, dredge 15 cy of rock from 400 sqft from the lakebed adjacent to the proposed dock on 100 ft of frontage on Goose Pond, Canaan.

Conservation Commission/Staff Comments:

Con Com has not submitted comments by 05/23/05

NHI and Fish and Game will not be submitting comments

APPROVE PERMIT:

Permanently remove an existing 3 ft by 13 ft seasonal dock, construct a 6 ft by 30 ft seasonal dock in the same location, dredge 15 cy of rock from 400 sqft from the lakebed adjacent to the proposed dock on 100 ft of frontage on Goose Pond, Canaan.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 20, 2005, as received by the Department on March 11, 2005 and cross sectional plan by Watermark Marine Construction dated July 2, 2005, as received by the Department on July 8, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
7. Seasonal pier shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.

9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of no more than 20 cy of rock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The local Conservation Commission has not submitted any comments to the file as of August 1, 2005.
5. The applicant has a current license to use and maintain the subject property from the NH Department of Environmental Services.

2005-00981 SABANEK, RUSSELL & JUDY
WOLFEBORO Lake Winnepesaukee

Requested Action:

Extend an existing permanent piling supported dock 8 ft 6 in to create a docking structure consisting of a 36.3 ft by 5.9 ft piling supported dock adjacent to a 39 ft by 6 ft piling supported dock connected to shore by a 14.6 ft by 4 ft walkway, permanently remove 24 ft of existing retaining wall and restore the shoreline to a natural condition by installing stone behind the location of the existing wall on 288 ft of frontage on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE PERMIT:

Extend an existing permanent piling supported dock 8 ft 6 in to create a docking structure consisting of a 36.3 ft by 5.9 ft piling supported dock adjacent to a 39 ft by 6 ft piling supported dock connected to shore by a 14.6 ft by 4 ft walkway, permanently remove 24 ft of existing retaining wall and restore the shoreline to a natural condition by installing stone behind the location of the existing wall on 288 ft of frontage on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants dated April 2005, as received by the Department on May 12, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Dredged material from the shoreline restoration shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. The shoreline restoration work shall be done during drawdown.
6. The shoreline restoration shall be constructed landward of the shoreline defined by the existing wall so as not to create land in public water.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. The minimum clear spacing between piles shall be 12 feet.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction or modification of a docking structure that provides for 4 boatslips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has submitted water depths to justify the requested length of the dock.
5. The proposed dock extension does not add any boatslips to the existing structure.

6. The proposed project addresses the compliance issues as noted in file # 1999-1422.
7. The submitted plan shows the restored shoreline entirely behind the existing shoreline as delineated by the existing retaining wall.

MINIMUM IMPACT PROJECT

2001-00414 **BURKE, HENRY J & MARY**
LONDONDERRY **Unnamed Wetland**

Requested Action:

Amend permit to dredge and fill 1220 sq. ft. of palustrine emergent wetlands to construct a driveway crossing to access a commercial building lot for a proposed office building with appurtenant parking and drainage structures, to include installation of a 15" x 34' culvert in the driveway crossing to equalize drainage with no change in wetlands impact square footage.

Conservation Commission/Staff Comments:

Amendment request was submitted to Con. Com.; no report.

APPROVE AMENDMENT:

Dredge and fill 1220 sq. ft. of palustrine emergent wetlands to construct a driveway crossing to access a commercial building lot for a proposed office building with appurtenant parking and drainage structures, to include installation of a 15" x 34' culvert in the driveway crossing to equalize drainage with no change in wetlands impact square footage.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering, LLC dated January 15, 2001, as received by the Department on March 12, 2001.
 - 1a. Amendment shall be in accordance with plans by Brown Engineering, LLC dated November 7, 2001, as received by the Department May 29, 2002.
 - 1b. Second amendment shall be in accordance with revised plans by Brown Engineering, LLC noted "Proposed Field Change" dated May 12, 2005 as received by the Department on June 22, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work shall be done during low flow.
6. There shall be no snow dumping in wetlands.

2004-02380 **THIBODEAU, JOHN**
DEERFIELD **Unnamed Wetland**

Requested Action:

fill 1,800 sq. ft. and install a 12" x 20 ft. culvert for driveway access to uplands. This includes the removal of 125 sq. ft. of fill and the placement of an additional 125 sq. ft. of fill.

APPROVE AFTER THE FACT:

fill 1,800 sq. ft. and install a 12" x 20 ft. culvert for driveway access to uplands. This includes the removal of 125 sq. ft. of fill and the placement of an additional 125 sq. ft. of fill.

With Conditions:

1. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
2. Appropriate siltation and erosion controls shall be in place prior to the final work, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of 3,000 sq. ft. in swamps or wet meadows.
2. The need for the impact has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this project is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00698 WERNER, GEORGE & NANCY
SOUTH HAMPTON Unnamed Wetland

Requested Action:

Maintenance dredge 5,998 square feet of an existing farm/wildlife pond; fill 889 square feet of wetlands and bank to improve pond berm; construct a 6' x 13' seasonal dock on pond; construct a 4' x 33' boardwalk for access across an area of wet meadow farm field.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

APPROVE PERMIT:

Maintenance dredge 5,998 square feet of an existing farm/wildlife pond; fill 889 square feet of wetlands and bank to improve pond berm; construct a 6' x 13' seasonal dock on pond; construct a 4' x 33' boardwalk for access across an area of wet meadow farm field.

With Conditions:

1. All work shall be in accordance with revised plans by Woodburn and Company LLC dated 7/18/2005, as received by the Department on 7/21/2005.
2. Dredged material in excess of that used on the pond berm shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Work shall be done during low flow.
7. Seasonal piers shall be removed for the non-boating season.

With Findings:

1. Each element of this project is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredging of man-made ponds; per Rule Wt 303.04(a) installation of a seasonal dock; and per Rule Wt 303.04(f) projects involving alteration of less than 3,000 square feet of swamps or wet meadows (for the boardwalk).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The boardwalk is to be installed in the narrowest crossing point of a wet meadow of marginal jurisdiction.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00709 FAWCETT, WALTER
WOLFEBORO Unnamed Wetland

Requested Action:

Impact 930 square feet of forested wetland to install a 18-inch by 14-foot culvert for access to a barn.

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission does not recommend approval.

APPROVE PERMIT:

Impact 930 square feet of forested wetland to install a 18-inch by 14-foot culvert for access to a barn.

With Conditions:

1. All work shall be in accordance with plans by Peter Cooperdock dated January 14, 2005, as received by the Department on April 15, 2005.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Wolfeboro Conservation Commission submitted a letter stating that the proposed project is not approvable because the proposed structure is not a dwell.
6. The Department finds that the applicant seeks access to a buildable portion of upland and the proposed impacts are reasonable pursuant to Wt 302.03.

2005-00742 CALIFORNIA FIELDS LLC, PETER HENENBERG
BOSCAWEN Unnamed Wetland Contoocook River

Requested Action:

Dredge and fill 2040 square feet of palustrine forested wetland including installation of a 36-inch x 65 foot culvert for access in the

subdivision and development of 12.63 acres into condominium units along the Contoocook River.

APPROVE PERMIT:

Dredge and fill 2040 square feet of palustrine forested wetland including installation of a 36-inch x 65 foot culvert for access in the subdivision and development of 12.63 acres into condominium units along the Contoocook River.

With Conditions:

1. All work shall be in accordance with plans by Edward Kaminski PE, dated February 2004, and revised through June 30, 2005 as received by the Department on July 6, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots and/or units in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction/or clearing within the 150 foot Woodland Buffer and to prevent accidental encroachment on wetlands or accidental cutting of the natural woodland buffer.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Silt fencing must be removed once the area is stabilized.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l); Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a Natural Woodland Buffer Survey.

6. The applicant has provided a signed Shoreland Protection Certification.
7. The applicant has addressed the concerns of the Boscawen Conservation Commission.

2005-00845 ALGONQUIN POWER SYSTEMS, RALPH TOMAT
FRANKLIN Winnepesaukee River

Requested Action:

Maintenance dredge 900 square feet to perform annual maintenance and remove sediment behind the trash intakes of the Franklin Hydro Facility in the Winnepesaukee River.

APPROVE PERMIT:

Maintenance dredge 900 square feet to perform annual maintenance and remove sediment behind the trash intakes of the Franklin Hydro Facility in the Winnepesaukee River.

With Conditions:

1. All work shall be in accordance with plans titled 'Project General Arrangement' dated April 14, 1990, as received by the Department on May 19, 2005.
2. All work shall be done during low flow conditions unless emergency conditions exist. If work is proposed in high flows the permittee shall contact DES Wetlands in writing two business days prior to dredging and written authorization from DES Wetlands shall be obtained prior to working in high flows.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Dredge shall maintain the original depths, additional material shall not be removed.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h); Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 29, 2005. Field inspection determined maintenance dredging is necessary to maintain flows into the penstock and alleviate possible flooding issues in Canal and Memorial Streets.

2005-01023 ALLARD, REECE
DOVER Bellamy River

Requested Action:

In-kind replacement to an existing 50"x21' permanent fixed pier to a 3'x16.5' seasonal ramp to a 9' x 10' seasonal float providing two 10' slips on the Bellamy River.

Conservation Commission/Staff Comments:

The Dover Conservation Commission endorses the project.

APPROVE PERMIT:

In-kind replacement to an existing 50"x21' permanent fixed pier to a 3'x16.5' seasonal ramp to a 9' x 10' seasonal float providing two 10' slips on the Bellamy River.

With Conditions:

1. All work shall be in accordance with plans by Raymond H. Bardwell dated May 12, 2005, as received by the Department on May 17, 2005.
2. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit shall not be effective until it has been recorded with the Strafford Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Repair shall maintain existing size, location and configuration.
5. Work shall be done during low tide.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. The float of this structure shall be constructed with rails to prevent it from sitting directly on the mud at low tide.
10. Seasonal docking structures shall be removed for the non-boating season.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v) Maintenance, repair, and replacement in-kind of existing docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01165 MACERA, MICHAEL
SEABROOK Blackwater Creek

Requested Action:

Permanently impact 1,132 square feet within the 100-foot Tidal Buffer Zone for the construction of a single family dwelling.

Conservation Commission/Staff Comments:

The Seabrook Conservation Commission did not sign the Minimum Impact Expedited Application and submitted comments.

APPROVE PERMIT:

Permanently impact 1,132 square feet within the 100-foot Tidal Buffer Zone for the construction of a single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Silverwatch Architects, LLC dated May 23, 2005, as received by the Department on June 1, 2005.
2. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. There shall be no further alteration of jurisdictional areas for lot development, driveways, culverts, or for any other construction related activities.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Any new driving/parking areas shall be constructed of pervious material.
8. All downspouts from rain gutters shall direct flows away from the marsh for stormwater treatment.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NHNHBB has identified the following exemplary natural communities and rare species near the identified area: Bayberry - beach plum maritime shrubland; Beach grass grassland; Coastal interdunal marsh/swale; High salt marsh and related estuarine communities; Maritime wooded dune; Beach grass (*Ammophila breviligulata*); Dwarf Glasswort (*Salicornia bigelovii*) and Perennial Glasswort (*Salicornia virginica* as threatened; Sea-chickweed (*Honckenya peploides* ssp. *robusta*) as endangered.
6. Upon review of the site plan and field inspection, none of the aforementioned species will be adversely affected.

2005-01187 CHICHESTER, TOWN OF
CHICHESTER Unnamed Wetland

Requested Action:

Fill 2730 square feet including installation of a 15-inch x 100 foot culvert to expand existing ball field to regulation size.

Conservation Commission/Staff Comments:

The Conservation Commission did not comment on this application.

APPROVE PERMIT:

Fill 2730 square feet including installation of a 15-inch x 100 foot culvert to expand existing ball field to regulation size.

With Conditions:

1. All work shall be in accordance with plans by Stevens Surveying Inc., dated April 2005, as received by the Department on May 27, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during periods of non-flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f) Projects involving alteration of less than 3000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The existing ball field is too small and does not meet league standards. The field can not be rotated or relocated on site due to site topography and the presence of higher quality scrub shrub wetlands.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2005-01702 BLAKEMAN, ANITA & PETER
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:
Sutton Tax Map 8, Lot# 434,064

2005-01708 MARTIN, DAVID
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Ossipee Tax Map 25, Lot# 63

2005-01718 YANKEE FOREST, LLC, C/O WAGNER FOREST MGMT
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map 17, Lot# 6-15

2005-01719 GREEN ACRES WOODLANDS INC
GROTON Unnamed Stream

COMPLETE NOTIFICATION:
Groton Tax Map 9, Lot# 2 & 8

2005-01720 LEWIN, READ
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:
Sutton Tax Map 5, Lot# 014,369

2005-01721 QUINN, RUSSELL & SUSAN
CHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Chester Tax Map 12, Lot# 16

2005-01722 ALTMAN REVOC TRUST, ALICE
NEW IPSWICH Unnamed Stream

COMPLETE NOTIFICATION:
New ipswich Tax Map 4, Lot# 12

2005-01723 FOTTLER JR, LORRAINE
WEARE Unnamed Stream

COMPLETE NOTIFICATION:
Weare Tax Map 406, Lot# 28 & 42

2005-01725 JOHANESSEN, LEIF & BERIT
BROOKFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Brookfield Tax Map 7, Lot# 7

2005-01755 WHITE MTN NATIONAL FOREST, C/O WAYNE MILLEN
SHELBURNE Unnamed Stream

COMPLETE NOTIFICATION:
Shelburne Tax Map 3, Lot# 20

2005-01756 LAKES REGION CONSERVATION TRUST
MOULTONBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Moultonboro Tax Map 91, Lot# 2 & 5A

2005-01757 LOON LAKE ENTERPRISES LLC
CROYDON Unnamed Stream

COMPLETE NOTIFICATION:
Croydon Tax Map 15, Lot# 349A

EXPEDITED MINIMUM

2005-00130 MCCABE, BRIAN & LOREN
MEREDITH Lake Winnisquam

Requested Action:

Relocate an existing 6 ft by 40 ft seasonal dock to bring it into compliance with DES rules, construct a 265 sq ft perched beach with 6 cy of sand, with a 4 ft access stairway in the bank on 100 ft of frontage on Lake Winnisquam, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Relocate an existing 6 ft by 40 ft seasonal dock to bring it into compliance with DES rules, construct a 265 sq ft perched beach with 6 cy of sand, with a 4 ft access stairway in the bank on 100 ft of frontage on Lake Winnisquam, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Co. dated December 29, 2004, revision date July 25, 2005, as received by the Department on July 25, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Work shall be done during drawdown.
9. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
10. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 482.35). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
11. The steps installed for access to the water shall be located completely landward of the normal high water line.
12. No more than 6 cu yd of sand may be used and all sand shall be located above the normal high water line.
13. This permit shall be used only once, and does not allow for annual beach replenishment.
14. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a beach.
2. The relocation of the seasonal dock brings the dock into compliance with the abutter setback requirements.

2005-00731 STEPHENSON, SAM
LISBON Unnamed Wetland

Requested Action:

Dredge 4,250 square feet of wet meadow for the construction of a pond.

Conservation Commission/Staff Comments:

The Lisbon Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge 4,250 square feet of wet meadow for the construction of a pond.

With Conditions:

1. All work shall be in accordance with plans by John Seely dated March 28, 2005 and revised May 22, 2005, as received by the Department on May 24, 2005.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Only native species shall be planted.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00773

WHEELER JR, ROBERT & SUSAN

BARNSTEAD Unnamed Wetland

Requested Action:

Impact a total of 1,335 sq. ft. of wet meadow to install two (2) culverts for access to two single family residential lots as a common driveway as part of a 3-lot subdivision of 88.62 acres.

Conservation Commission/Staff Comments:

The Barnstead Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 1,335 sq. ft. of wet meadow to install two (2) culverts for access to two single family residential lots as a common driveway as part of a 3-lot subdivision of 88.62 acres.

With Conditions:

1. All work shall be in accordance with plans by Paul Darbyshire Associates dated March 10, 2005 and revised June 16, 2005, as received by the Department on June 27, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of wet meadow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00862 R W REAL ESTATE DEVELOPMENT LLC
MIDDLETON Unnamed Wetland

Requested Action:

Impact 213 square feet within the bed and banks of an intermittent stream to install an 18-inch by 20-foot culvert for the construction of a common drive to access two (2) lots of a 4-lot residential subdivision of 39.70 acres.

Conservation Commission/Staff Comments:

The Middleton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 213 square feet within the bed and banks of an intermittent stream to install an 18-inch by 20-foot culvert for the construction of a common drive to access two (2) lots of a 4-lot residential subdivision of 39.70 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Berry Surveying & Engineering as received by the Department on May 2, 2005:
 - a.) Proposed Wetland Crossing dated February 1, 2005;
 - b.) Proposed Subdivision of Land dated January 10, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Work shall be done during low flow conditions.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00881 FILIPI, ARNIE
FITZWILLIAM Unnamed Wetland

Requested Action:

Impact a total of 1,900 sq. ft. for the construction of a common drive which includes installing a 18"x36"x35' box culvert (impacting 1,120 sq. ft. within the bed and banks of a perennial stream) and installing a 12"x35' culvert (impacting 780 square feet of wet meadow) to access three (3) single family residential lots as part of a 9-lot subdivision of 66.23 acres.

Conservation Commission/Staff Comments:

The Fitzwilliam Conservation Commission did not sign the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 1,900 sq. ft. for the construction of a common drive which includes installing a 18"x36"x35' box culvert (impacting 1,120 sq. ft. within the bed and banks of a perennial stream) and installing a 12"x35' culvert (impacting 780 square feet of wet meadow) to access three (3) single family residential lots as part of a 9-lot subdivision of 66.23 acres.

With Conditions:

1. All work shall be in accordance with plans by Richard P. Drew, LLC dated January 17, 2005, as received by the Department on May 4, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00938 CENTER HARBOR CHRISTIAN FELLOWSHIP
MOULTONBOROUGH Unnamed Wetland

Requested Action:

Impact a total of 980 square feet of forested wetland to include temporarily impacting 80 square feet to install a sewer line and permanently impact 900 square feet to install a 15-inch culvert for access to two (2) single family residential lots as part of a 14-lot subdivision of 22.18 acres.

Conservation Commission/Staff Comments:

The Moultonborough Conservation Commission did not sign the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 980 square feet of forested wetland to include temporarily impacting 80 square feet to install a sewer line and permanently impact 900 square feet to install a 15-inch culvert for access to two (2) single family residential lots as part of a 14-lot subdivision of 22.18 acres.

With Conditions:

1. All work shall be in accordance with plans by T.R. Selling Engineering, P.C. dated December 14, 2004 and revised through February 24, 2005, as received by the Department on June 3, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work shall be done during low flow conditions.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Area of temporary impact shall be regraded to original contours following completion of work.
8. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01220 MORONEY, THOMAS
STARK Unnamed Stream

Requested Action:

Impact a total of 160 sq. ft. which includes 80 sq. ft. within the bed and banks of perennial stream to install a 24'x25' culvert and impact 80 square feet of forested wetland to install a 16"x25' culvert for access to a single family residential lot of 15 acres.

Conservation Commission/Staff Comments:

Stark does not have a Conservation Commission.

APPROVE PERMIT:

Impact a total of 160 sq. ft. which includes 80 sq. ft. within the bed and banks of perennial stream to install a 24'x25' culvert and impact 80 square feet of forested wetland to install a 16"x25' culvert for access to a single family residential lot of 15 acres.

With Conditions:

1. All work shall be in accordance with plans by Thomas Moroney dated July 6, 2005, as received by the Department on July 6, 2005.
2. Work shall be done during no flow conditions.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01279 LACASSE, ROGER
OSSIPEE Lake Ossipee

Requested Action:

Install a 4'x24' seasonal dock on Ossipee Lake with 50 linear feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Ossipee Conservation Commission did not sign the Minimum Impact Expedited Application.

APPROVE PERMIT:

Install a 4'x24' seasonal dock on Ossipee Lake with 50 linear feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans received by the Department on June 10, 2005.
2. This permit shall not be effective until it has been recorded with the Carroll County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a) Construction or modification of a seasonal pier or wharf

if no more than 2 slips.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01331 MOWER, JAMES & MARY
KINGSTON Great Pond

Requested Action:

In-kind replacement to 73 linear feet of retaining wall with redi-rock on Great Pond

Conservation Commission/Staff Comments:

The Kingston Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

In-kind replacement to 73 linear feet of retaining wall with redi-rock on Great Pond

With Conditions:

1. All work shall be in accordance with plans by S.E.C & Associates, Inc. dated April 26, 2005, as received by the Department on June 15, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
4. This permit to replace existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Repair shall maintain existing size, location and configuration.
6. Work shall be done in the dry.
7. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and fish spawning areas shall be avoided.
10. All excavated material and construction related debris shall be placed outside of the DES Wetlands Bureau jurisdiction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(c) Repair or replacement of existing retaining walls.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Pursuant to Wt 304.04, the applicant received written consent from the abutter identified as Charles Birdsall (Kingston Tax Map U-5 Lot 34) concurring with any impacts within 20-feet of said owners property line.

2005-01370 CHARNLEY, HAROLD & MARY
LYMAN Unnamed Wetland

Requested Action:

Dredge 11,600 square feet of wet meadow to construct a one-half acre pond on a residential lot of 30 acres.

Conservation Commission/Staff Comments:

The Lyman Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge 11,600 square feet of wet meadow to construct a one-half acre pond on a residential lot of 30 acres.

With Conditions:

1. All work shall be in accordance with plans by Presby Construction, Inc. dated May 31, 2005, as received by the Department on June 20, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. No channel shall be excavated to connect the pond to the existing stream.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the construction area during construction and during the early stages of vegetative establishment.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01390 DES DAM BUREAU
TILTON Lake Winnisquam

Requested Action:

Install a set of 3'x24' stairs leading down to a 4'x16' seasonal deck to a 4'x24' seasonal dock on the Winnepesaukee River with 75' of shoreline frontage.

Conservation Commission/Staff Comments:

Property leased from Dam Bureau. See state contract in file.

The Tilton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Install a set of 3'x24' stairs leading down to a 4'x16' seasonal deck to a 4'x24' seasonal dock on the Winnepesaukee River with 75' of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Glen Wilder received by the Department on June 22, 2005.
2. This permit is contingent on approval by the DES Water Resources Council.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
2. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
3. No excavation of the bank shall be done for the construction and installation of stairs and the stairs shall be constructed over the bank.
4. Seasonal pier/deck shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 28 feet from the shoreline at full river elevation.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a) Construction or modification of a seasonal pier or wharf if no more than 2 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01421 BERGERON JR, CARL
SEABROOK Unnamed Wetland

Requested Action:

Impact a total of 900 square feet of forested wetland to include 300 square feet of temporary impact to install a sewer service line and 600 square feet of permanent impact to install two (2) 15-inch culverts for access to a single family residential lot of 0.61 as part of a 3-lot subdivision of 1.59 acres.

Conservation Commission/Staff Comments:

The Seabrook Conservation Commission did not sign the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 900 square feet of forested wetland to include 300 square feet of temporary impact to install a sewer service line and 600 square feet of permanent impact to install two (2) 15-inch culverts for access to a single family residential lot of 0.61 as part of a 3-lot subdivision of 1.59 acres.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated April 11, 2005 and revised May 16, 2005, as received by the Department on June 24, 2005.
2. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Area of temporary impact shall be regraded to original contours following completion of work.
6. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of

application.

7. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. Pursuant to Wt 304.04, the applicant received written consent from the abutter identified as Naomi L. Lattime & Mary L. Chase (Seabrook Tax Map 10 Lot 79) concurring with the impacts within 20-feet of their property line.

2005-01498 CHAPUT, RONALD & VIVIAN
GILFORD Lake Winnepesaukee

Requested Action:

Install a 14 ft by 30 ft seasonal canopy over the center slip on the southern docking facility, and a 14 ft by 26 ft seasonal canopy over the center slip on the northern docking facility on 235 feet of frontage on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install a 14 ft by 30 ft seasonal canopy over the center slip on the southern docking facility, and a 14 ft by 26 ft seasonal canopy over the center slip on the northern docking facility on 235 feet of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Robert Brown dated June 3, 2005, as received by the Department on June 30, 2005.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.

4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that the existing structures were not constructed in accordance with previous Permit #2003-02822.

5. All approval conditions of Permit #2003-02822 remain effective and are unaltered by this approval. The seasonal canopies shall be removed with the existing docking facilities in accordance with the conditions of Permit #2003-02822 if sand accumulation occurs in excess of the predicted rate.

6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects deemed minimum by the Department.

TRAILS NOTIFICATION

2005-01585 ZIEMBA, JOHN
WENTWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Wentworth Tax Map 13, Lot# 19

2005-01672 BRISTOL, TOWN OF
BRISTOL Unnamed Stream

COMPLETE NOTIFICATION:
Bristol Tax Map 206, Lot# Town ROW

2005-01698 COLBY, JAMES
BOSCAWEN Unnamed Stream

COMPLETE NOTIFICATION:
Boscawen Tax Map 47, Lot# 29B

2005-01700 FISHER, DODDY
BOSCAWEN Unnamed Stream

COMPLETE NOTIFICATION:
Boscawen Tax Map 81D, Lot# 94

LAKES-SEASONAL DOCK NOTIF

2005-01616 SCHULER, HARRIET
ALSTEAD Warren Lake

COMPLETE NOTIFICATION:
Alstead Tax Map 31, Lot# 44 Lake Warren

2005-01635 JUG HILL LLC, CHARLES P ROBBINS MEMBER
SANBORNVILLE Lovell Lake

COMPLETE NOTIFICATION:
Sanbornville Tax Map 6, Lot# 59 Lovell Lake

2005-01636 MONADNOCK PRESERVATION LLC, GRENNTLE CLARK III MGR
DUBLIN Dublin Lake

COMPLETE NOTIFICATION:

Dublin Tax Map 9, Lot# 3 Dublin Lake

2005-01743 SIEGEL, RON & CYNTHIA
CENTER CONWAY Conway Lake

COMPLETE NOTIFICATION:

Conway Tax Map 268, Lot# 143 Conway Lake

ROADWAY MAINTENANCE NOTIF

2005-01710 ENFIELD, TOWN OF
ENFIELD Unnamed Stream

2005-01711 DERRY, TOWN OF
DERRY Unnamed Stream

2005-01712 NH DEPT OF TRANSPORTATION
HINSDALE Unnamed Stream

2005-01713 NH DEPT OF TRANSPORTATION
STODDARD Unnamed Stream

2005-01714 NH DEPT OF TRANSPORTATION
HARRISVILLE Unnamed Stream

2005-01715 NH DEPT OF TRANSPORTATION, DISTRICT 6
NORTHWOOD Unnamed Stream

2005-01716 **NH DEPT OF DOT, DISTRICT 2**
PLAINFIELD **Unnamed Stream**

2005-01776 **BRADFORD, TOWN OF**
BRADFORD **Unnamed Stream**

2005-01777 **ALTON, TOWN OF**
ALTON **Unnamed Stream**

PERMIT BY NOTIFICATION

2005-01067 **SHETCAWSKI, JAMES**
CHARLESTOWN **Unnamed Stream**

Requested Action:

Install 15" culvert and fill 100 sq.ft. for proposed crossing within existing roadbed of a washed out road for access.

PBN IS COMPLETE:

Install 15" culvert and fill 100 sq.ft. for proposed crossing within existing roadbed of a washed out road for access.

2005-01148 **BELLAVANCE JR, JOSEPH**
GILFORD **Lake Winnepesaukee**

PBN IS COMPLETE:

In-kind repair of docking structure.

2005-01582 **SHIP AHOY CONDOMINIUM ASSOCIATION**
LACONIA **Lake Winnepesaukee**

Requested Action:

Install a 12'x 14' 168 sq. ft. seasonal boatlift and 6'x 6' 36 sq. ft. PWC on a 20'long left sude and 8'long right side with walkway finger pier. Total impact is 204 sq. ft.

Conservation Commission/Staff Comments:

No ConCom signature. PBN Disqualified letter sent 08/03/05 was in error, miscount on 20 days following Incomplete letter Called

Winnepesaukee Marine on 8/4/05 and told Patsy Sribner.

COMPLETE NOTIFICATION:

Install a 12'x 14' 168 sq. ft. seasonal boatlift and 6'x 6' 36 sq. ft. PWC on a 20'long left sude and 8'long right side with walkway finger pier. Total impact is 204 sq. ft.

2005-01622 MARLATT, JUDSON
STRATHAM Unnamed Pond

Requested Action:

Maintenance dredge 2,900 square feet of an old agricultural pond which is now being used as a retention -detention pond for drainage from country farm road.

Conservation Commission/Staff Comments:

No ConCom signature

PBN IS COMPLETE:

Maintenance dredge 2,900 square feet of an old agricultural pond which is now being used as a retention -detention pond for drainage from country farm road with condition that work be done during low flow, siltation and erosion controls be installed and maintained to prevent water quality degradation and existing shoreline vegetation remain intact as much as possible.

2005-01652 SMITH, JAN
WAKEFIELD Boys Island

Requested Action:

Placement of a 5'2"x 5' PWC on the right hand side of an existing 4'x 20' seasonal dock to located on the north east side on island on 820' of 1320'of shoreline

Conservation Commission/Staff Comments:

No ConCom signature. ConCom has comments on application about how PWC is to attached to shore and lake bottom disturbance.

COMPLETE NOTIFICATION:

Placement of a 5'2"x 5' PWC on the right hand side of an existing 4'x 20' seasonal dock to located on the north east side on island on 820' of 1320'of shoreline

2005-01696 EASTWOOD, DAVID
MEREDITH Lake Winnepesaukee

Requested Action:

Construct a 4'x 6' anchoring pad and install ing one seasonal boatlift on right sided slip and two seasonal PWCs east of breakwater.

COMPLETE NOTIFICATION:

Construct a 4'x 6' anchoring pad and install ing one seasonal boatlift on right sided slip and two seasonal PWCs east of breakwater.

2005-01707 GALYEAN, SHERI/TINSLEY
MOULTONBOROUGH Squam Lake

Requested Action:

Construct a 6'x 40' seasonal dock on 4"x 6" posts on a 140' shoreline

COMPLETE NOTIFICATION:

Construct a 6'x 40' seasonal dock on 4"x 6" posts on a 140' shoreline

2005-01732

MORROW, BRADLEY

BRADFORD Lake Massasecum

Requested Action:

Install a 6' x 40' seasonal dock on 81 feet of shoreline, with preexisting 4' stairs to dock

Conservation Commission/Staff Comments:

No ConCom signature

COMPLETE NOTIFICATION:

Install a 6' x 40' seasonal dock on 81 feet of shoreline, with preexisting 4' stairs to dock